

REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application. Claims 14-20 are newly added.

The applicants respectfully request the Examiner to acknowledge the claim for priority and receipt of certified copies of all the priority document(s).

The Examiner is respectfully requested to state whether the drawings are acceptable.

Claims 3, 5, 7, 9, and 11 are amended to avoid a strict numerical boundary to the specified parameter. In Anchor Wall Sys. v. Rockwood Retaining Walls, Inc., 340 F.3d 1298 (Fed. Cir. 2003), the court held that "words of approximation, such as 'generally' and 'substantially,' are descriptive terms 'commonly used in patent claims' to avoid a strict numerical boundary to the specified parameter."

The Office action rejects claims 1-13 under 35 U.S.C. 103(a) over applicants' admitted prior art (Sun et al. (USP 5,138,235, hereinafter Sun)) and Rast et al. (USP 6,426,597, hereinafter Rast). The applicants respectfully traverse this rejection.

The applicants respectfully maintain that it is inappropriate to combine the teachings of Sun and Rast, because the principles of operation of the lamps in these references are fundamentally different.

Sun teaches an inductor in series with a gas discharge lamp and a capacitor in parallel to the lamp. Rast teaches an inductor in series with a gas discharge lamp, a capacitor parallel to a second inductor and the lamp, and another capacitor that is coupled to a center tap of the second inductor. As illustrated in Rast's FIG. 2, and as noted in the applicants' prior response, Rast's arrangement provides a high-frequency oscillation signal to the combination, but maintains a low-frequency oscillation of the lamp voltage. Rast's driver is not suitable for use in Sun's lamp arrangement, and Sun's driver is not suitable for use in Rast's lamp arrangement.

In like manner, Rast's driver is unsuitable for use in the applicants' claimed lamp arrangement. Rast's driving waveform of FIG. 2a cannot be achieved in the applicants' claimed lamp arrangement due to the fundamental differences in the principles of operation of Rast's arrangement and the claimed arrangement.

Further, the applicants respectfully maintain that Sun does not disclose a driver for a gas discharge lamp that is in series with an inductor and a capacitor connected in parallel to the lamp, comprising an oscillator that provides a lamp voltage at a first high oscillating frequency during ignition of the lamp and at a second high oscillating frequency during normal operation of the lamp after its ignition, wherein at least one of the first and second oscillating frequencies is frequency modulated, as specifically claimed in each of the applicants' independent claims 1 and 13. Independent claim 7 includes similar features.

The Office action fails to identify where Sun discloses frequency modulating the oscillating frequency, and asserts that Sun teaches a "modulating frequency being derived from an AC supply (AC source) to the DC source (DC source)" at Sun's Fig. 1 (Office action, page 6, lines 10-12). This assertion is incorrect, and the Office action fails to provide a reference to Sun's disclosure to support the assertion that Sun's Fig. 1 teaches frequency modulating the oscillating frequency.

Because there is no basis to support the applicability of Rast to the applicants' teachings, or to the teachings of Sun, and because Sun fails to teach the elements of each of the applicants' independent claims 1, 7, and 13, the applicants respectfully maintain that the rejection of claims 1-13 under 35 U.S.C. 103(a) over Sun and Rast is unfounded, and should be withdrawn.

The Office action rejects claims 1 and 7 under 35 U.S.C. 103(a) over Maheshwari et al. (USP 5,932,976, hereinafter Maheshwari) and Rast. The applicants respectfully traverse this rejection.

Maheshwari fails to teach the applicants' claimed arrangement of an inductor in series with a lamp and a capacitor in parallel with the lamp. As noted above, Rast also fails to teach this disclosed arrangement. Accordingly, the combination of Maheshwari and Rast will not lead one to the applicants' claimed invention, because neither reference discloses or suggests the lamp arrangement of the applicants' claimed invention.

Because there is no basis to support the applicability of Maheshwari and/or Rast to the applicants' teachings, and because the combination of Maheshwari and Rast fails to teach the elements of each of the applicants' claims 1 and 7, the applicants respectfully maintain that the rejection of claims 1 and 7 under 35 U.S.C. 103(a) over Maheshwari and Rast is unfounded, and should be withdrawn.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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